



Attorney General Jon Bruning

# NEWS RELEASE

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## **Attorney General Bruning Announces Settlement with Pharmaceutical Manufacturer *Nebraska Receives \$1.7 million***

**Note: A sound bite on this topic will be available shortly at: <http://www.ago.ne.gov>**

(Lincoln, Neb.) Attorney General Jon Bruning announced that pharmaceutical manufacturer Eli Lilly paid \$1,767,242 to the State of Nebraska. The settlement resolves allegations about improper marketing of the antipsychotic drug Zyprexa.

Nebraska along with 35 states alleged that Eli Lilly used unfair and deceptive practices when marketing Zyprexa for off-label uses, including treatment of depression, anxiety, irritability, disrupted sleep, nausea and gambling addiction. Eli Lilly caused health care providers to prescribe Zyprexa to children, teens and dementia patients and in unapproved dosage amounts which aren't approved for reimbursement by state Medicaid programs.

"Marketing drugs for uses that haven't been approved by the Food and Drug Administration is illegal and dangerous to people's health," said Bruning. "These laws exist to protect people's well-being and companies need to follow them."

Under the settlement, Eli Lilly agreed to pay more than 1.4 billion to the federal government and participating states. The company also entered into a Corporate Integrity Agreement with the U.S. Dept. of Health and Human Services, Office of the Inspector General which will closely monitor Eli Lilly's future marketing and sales practices.

Zyprexa is the brand name for the prescription drug olanzapine, first marketed for adults with schizophrenia. Since then, Food and Drug Administration approved Zyprexa for the treatment of bipolar disorder. While it may reduce symptoms, it also has dangerous side effects. Zyprexa has been associated with a high risk of weight gain, hyperglycemia, and diabetes. While a physician is allowed to prescribe drugs for off-label uses, the law prohibits pharmaceutical manufacturers from marketing their products for off-label uses.

The majority of Nebraska's settlement goes to the Department of Health and Human Services, the agency that runs the state's Medicaid program.

The case was handled by the National Association of Medicaid Fraud Control Units and the Nebraska Medicaid Fraud and Patient Abuse Unit in the Attorney General's Office.

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